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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
HIROFUMI UCHIMIYA ET AL. : GROUP ART UNIT: 1638
SERIAL NO: 09/802,937 :
FILED: MARCH 12, 2001 : EXAMINER: COLLINS, C.
FOR: DNA FRAGMENT HAVING PROMOTER FUNCTION

AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Office Action dated April 16, 2003, Applicants respectfully request reconsideration in light of the following amendment and remarks.

IN THE SPECIFICATION

At page 27 (Abstract) of the specification, after the last line, on the next page, please delete the sequence listing inserted thereto in its entirety and replace the same with the substitute sequence listing attached hereto.

IN THE CLAIMS

Please cancel Claims 1-18 without prejudice.

Please add the following new claims:

19. (New) An isolated polynucleotide, comprising SEQ ID NO: 2.
20. (New) A vector, comprising the polynucleotide according to Claim 19.